

SENATE CONCURRENT RESOLUTION NO. 78

(By Senators Snyder and Williams)

Requesting the Joint Committee on Government and Finance study the merits of authorizing the Public Service Commission to oversee Internet service providers as public utilities; to establish, prescribe and enforce rates and fees for providers of high-speed Internet services; and to regulate the quality, reliability and availability of Internet services throughout the state.

Whereas, Innovation and rapidly developing technologies are leading to increasing use of interactive content and audio and video streaming that require higher network bandwidth than is available through the telephone dial-up Internet access method; and

Whereas, The availability of affordable, reliable, high-quality Internet network access is an important factor in the development of a competitive workforce, a dynamic business environment, educational achievement and the economic health of residential communities; and

Whereas, The use of Internet services has expanded rapidly in the past twenty years and is highly likely to continue to expand to such extent as to make a commodity of access to Internet services;

1 and

2 Whereas, In many areas of this state there is very little
3 effective competition to encourage and stimulate price competition
4 among Internet service providers; and

5 Whereas, Rates for Internet service providers vary widely from
6 state to state and consumers in adjoining states have been able to
7 pay lower rates for similar services than consumers in West
8 Virginia in comparable geographic circumstances; and

9 Whereas, There is currently no state regulation or oversight
10 of Internet service providers in this state; and

11 Whereas, It is in the public interest to provide a forum for
12 customers of Internet service providers to comment on rate
13 structures and rate proposals, and to submit grievances regarding
14 the provision of Internet network services and dealings with
15 service providers; therefore, be it

16 *Resolved by the Legislature of West Virginia:*

17 That the Joint Committee on Government and Finance is hereby
18 requested to study the merits of authorizing the Public Service
19 Commission to oversee Internet service providers as public
20 utilities; to establish, prescribe and enforce rates and fees for
21 providers of high-speed Internet services; and to regulate the
22 quality, reliability and availability of Internet services
23 throughout the state; and, be it

24 *Further Resolved,* That the Joint Committee on Government and

1 Finance report to the regular session of the Legislature, 2014, on
2 its findings, conclusions and recommendations, together with drafts
3 of any legislation necessary to effectuate its recommendations;
4 and, be it

5 *Further Resolved*, That the expenses necessary to conduct this
6 study, to prepare a report and to draft necessary legislation be
7 paid from legislative appropriations to the Joint Committee on
8 Government and Finance.